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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

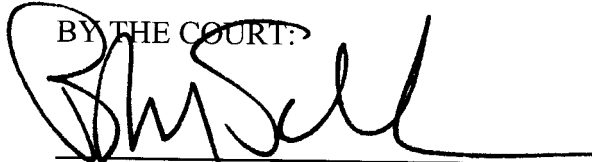
LUZ F. RIVERA : CIVIL ACTION
vs. :
JO ANNE B. BARNHART, et al. : NO. 05-6151

ORDER

AND NOW, this 13 day of April, 2007, after consideration of the cross-Motions for Summary Judgment, and after review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge, *and objections thereto,* it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED AND ADOPTED.
2. The Defendant Commissioner's Motion for Summary Judgment is DENIED.
3. The Plaintiff's Motion for Summary Judgment is GRANTED.
4. The matter is REMANDED to the Commissioner for the calculation and award of benefits.

BY THE COURT:


BERLE M. SCHILLER J.